

3
PETER B. BUNTING #124104
Attorney at Law
2304 W Shaw Ave Ste 103
Fresno CA 93711
Telephone: 559.226.4030
Facsimile: 559.226.4148
Email: info@peterbbuntinglaw.com

Attorney for Debtor HOWELL

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

IN RE

ANDRE WISHON HOWELL,

Debtor.

Chapter 13
Case No. 23-12841A-13F
DC No. PBB-1

HEARING
Date: January 11, 2023
Time: 9:30 a.m.
Dept: A
Ctrm: 11
United States Bankruptcy Court
2500 Tulare Street
Fresno, California 93721

HONORABLE JENNIFER E. NIEMANN

**DECLARATION OF ANDRE WISHON HOWELL IN SUPPORT OF MOTION FOR
ORDER EXTENDING THE BANKRUPTCY STAY**

1 I, Andre Wishon Howell, declare:

2 1. I am an adult person over the age of eighteen (18) years, competent to testify
3 about the matters set forth herein. I make this declaration of my personal knowledge and if called
4 upon to testify, I could competently testify to the facts stated herein.
5

6 2. I am the Debtor in the above-entitled Chapter 13 case filed on December 21,
7 2023.

8 3. I have one pending/failed bankruptcy within the past year.

9 4. I filed my previous case, number 23-12361, with the assistance of attorney
10 Benny D. Barco. I filed a voluntary dismissal of that case because the Plan proposed by my
11 attorney included repayment of PHH Mortgage, the lender secured by my parent's property. The
12 payments proposed were unfeasible.
13

14 5. I filed this above-captioned case to stop the foreclosure sale of my residence
15 scheduled for December 26, 2023.
16

17 6. I have paid all fees due at the time of my filing.

18 7. I have filed all necessary schedules and my Chapter 13 Plan.

19 8. I have provided to my attorney all documents required by the Trustee. I am
20 informed and believe my attorney will forward my required documents to the Trustee on my
21 behalf.
22

23 9. Filed concurrently herewith as Exhibit "A" is a copy of my Schedule I with
24 Business Income and Expense worksheet and Schedule J. My income is from self-employment.
25 Schedule I and J are a reflection of my anticipated income and expenses.

26 10. Line 23c of Schedule J reflects that I have \$5,502.67 disposable, enough to
27 make my plan payment of \$5,500.00.
28

1 11. I believe I can pay my required plan payment and I intend on completing my
2 Plan.

3 12. Filed concurrently herewith as Exhibit "B" is a copy of my proposed Chapter 13
4 Plan which provides for the following payments through my Plan: my 1st Deed of Trust to be
5 paid in Class 1, secured taxes, priority taxes, three percent to unsecured creditors and attorney
6 fees.
7

8 I declare under penalty of perjury that the foregoing is true and correct under the
9 laws of the United States of America.
10

11
12 Dated:

13 **DEC 21 2023**

14 
15 _____
16 ANDRE WISHON HOWELL
17
18
19
20
21
22
23
24
25
26
27
28